IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO.50 OF 2003

IN

SUIT NO.2223 OF 1994

A.H.A. Kagalwala ...Petitioner

v/s

Mohammed H. Abdullabhai and ors. ...Respondents

Mr S. Wassoodew for Petitioner.

Mr Subodh Joshi i/b M/s Nandlal Kothari and Sabir for Respondent No.1.

Dr V.V. Tulzapurkar with Mr M. Vasudeo i/b M/s Nanu Hormasjee and Co. for Respondent Nos.2 to 9.

Mr S.A. Oak i/b Mr P.G. Lad for Respondent Nos.10 to 12.

CORAM : D.K. DESHMUKH J.

DATE : 24TH JANUARY 2007.

P.C. :-

1. It is common ground that in the award made by the Arbitrators in so far as the property of the firm at Khamgaon is concerned, the Arbitrators have declared only undivided shares of respondent Nos.2 to 9 in that property. The learned counsel appearing for respondent Nos.2 to 9 states that by the sale deeds which are annexed to this petition, the respondent Nos.2 to 9 have transferred only their undivided shares in the property of the firm at Khamgaon as declared by the Arbitrators in their award. The learned counsel appearing for respondent Nos.10 to 12 also states that the respondent Nos.10 to 12 have purchased from respondent Nos.2j to 9 only their undivided shares declared by the Arbitrators in the award in the property at Khamgaon. The statements are accepted. I have also gone through the recitals and the description of the property given in the sale deeds. I find as per the statement of the learned counsel appearing for respondent Nos.2 to 12 that what is transferred by the sale deeds is the undivided shares of respondent Nos.2 to 9 in the property of the firm at Khamgaon as declared by the Arbitrators. In view of this clear position, no further action is required to be taken. Contempt petition is disposed off with no order as to costs.

. Parties to act on the copy of this order duly authenticated by the Associate / Private Secretary as true copy.

. Certified copy expedited.